REMARKS

The specification has been amended to correct errors of a clerical nature. The amendment of "received" to —sent— in paragraph 0065, first sentence of the published application, corresponding to page 16, line 29-page 17, line 1, of the application as filed, corrects an obvious error that is easily determined from the contents of paragraph 0064 and the remainder paragraph 0065.

The claims have been amended for clarity and to ensure infringement of the method claims by the person or apparatus that performs the method, without requiring any action by the person or organization that provides the structures.

Applicants traverse the rejection of claims 1-27 as being anticipated by Carter, US Patent 5,987,506. The Office Action alleges Carter, at column 36, lines 42 and 43, discloses the requirement of claim 1 to automatically perform a file reconciliation routine at periodic intervals. Column 36, lines 42 and 43, of Carter, states:

> To reconcile two clouds, the reconciliation process in the master cloud fetches the other cloud's reconciliation log.

There is nothing in this portion of Carter which indicates the reconciliation is periodic. The comment in the Office Action that:

> "Carter teaches this by disclosing to reconcile two clouds fetches the other cloud's reconciliation log, which contains the set of file updates that need to be applied."

fails to mention anything about automatically performing a file reconciliation at **periodic** intervals. Consequently, the rejection of claim 1 is wrong and claims 2-7, 20-23 and 26 that depend on claim 1, are improperly rejected.

Claim 2 further distinguishes over Carter by requiring controlling at least one of the computing devices of claim 1 to transmit file reconciliation data periodically irrespective of its or their connectivity to other computing devices. The allegation in the Office Action that column 6, lines 52-56, of Carter discloses this by stating "a system can provide, among

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other things, each network node 12a-12d with shared control over the structured store of data 28 and, therefore, the system 10 can distribute control over the data store across the nodes of the network" fails to state anything about periodic data reconciliation. In addition, there is nothing in this portion of Carter indicating that data are reconciled in a computing device regardless of the connectivity of the computing device to other computing devices. The fact that there is shared control does not mean file reconciliation data are transmitted regardless of connectivity to other computing devices.

Claim 7 is amended to more specifically indicate the file data are issued to all computers that are connected to each other within the group, without specifying the computers in the group to which the issue file data are issued.

In the rejection of claim 7, the office action stated Carter discloses the step of issuing file data to unspecified computers within a group and receiving file data from unspecified computers within the group as a result of Carter disclosing, at column 36, lines 52-55, that a previous time stamp or version number information about the state of a file when it was last reconciled which can be used to detect current updates on both clouds. Applicants do not understand how this statement in Carter has anything to do with unspecified computers. Clarification is in order.

Independent claim 8 has been amended for clarity to indicate the computing devices are connected to each other in a network and that the method includes the steps of issuing file data to all computers within the group without specifying the computers in the group to which the issued file data are issued and receiving file data from all computers within the group without specifying the computers in the group that are receiving the received file data.

In the prior rejection, the Examiner relied on Carter to disclose distributing files between computing devices of at least one group of computing devices by issuing file data to unspecified computers within the group and receiving file data from unspecified computers within the group. The Office Action alleged this feature of claim 8, prior to the amendment, was found in Carter at column 6, lines 25-29, because this portion of Carter referred to a web server. The Office Action said this covers any processor which transmits

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data objects, such as active X objects, applications, such as Java applets, or files, such as HTML files, to a requester via web protocols. It is not seen how this portion of Carter has anything to do with issuing file data to unspecified computers and receiving file data from unspecified computers. Because claim 8 is not anticipated by Carter, claims 9-16, 24 and 27, which depend on claim 8, are allowable.

Claim 12, as amended, indicates the code indicative of the contents of each file version in the journal is transmitted without transmitting the entire journal. The Office Action relied on column 37, lines 42-45, of Carter to disclose the requirements of claim 12, as previously submitted, for a file journal to include a code indicative of the contents of each file version in the journal. However, this portion of Carter fails to indicate a code is transmitted without transmitting an entire journal, wherein the code is indicative of the contents of each file version in the journal.

To reject independent claim 17, the Office Action relies on column 36, lines 24 and 25, of Carter. This portion of Carter indicates reconciliation is driven by RCLid proxy mechanism and is primarily a proxy to proxy reconciliation. However, this does not mean there is automatic periodic reconciliation of files at **periodic intervals**, as required by claim 17, as previously submitted.

Independent claim 18 has been amended so it is similar to independent method claim 8. Claim 18 was previously rejected on the same rationale as claim 8 was rejected. The rejection of claim 18 is incorrect for the reasons advanced *supra* in connection with the rejection of claim 8. Claim 19 is allowable for the same reasons advanced for claim 17, upon which claim 19 depends.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are respectfully requested and deemed in order.
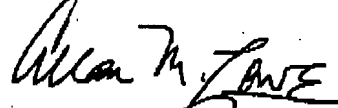
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

Bruno RICHARD et al.

Allan M. Lowe
Registration No. 19,641

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400
Telephone: 703-684-1111
Facsimile: 970-898-0640
Date: September 14, 2007
AML/cjf